

## REMARKS

Claims 1-56 are now pending in the instant application.

Claims 6, 20, and 32 have been previously cancelled, without prejudice.

Claims 1-5, 7-19, 21-31, and 33-43 have been previously cancelled, without prejudice.

Applicant reserves the right to file a divisional application to same.

Claims 44-56 have been previously added. Applicant respectfully submits no new matter has been added by way of this amendment.

Applicant notes with appreciation the *de facto* withdrawal of the rejection of claims 1-14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, and the withdrawal of the rejection of Claims 1-40 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Applicant notes with appreciation the withdrawal of the rejection of Claims 1, 5, 8-13, 15, 19, 22-25, 27, 31, 34-37 and 39-40 under 35 U.S.C. § 102(b) as being anticipated by Hiromichi (EP 0 953 613 A2); and the rejection of Claims 1-5, 7-19, 21-31, and 33-40 rejected under 35 U.S.C. § 102(b) as being anticipated by Tanabe *et al.* (EP 1 036 831 A1); and the rejection of Claims 1-6, 8-15, 19-20, 22-32, and 34-39 under 35 U.S.C. § 102(b) as being anticipated by Laskin *et al.* (WO 00/3440 A1).

Claims 44-56 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tanabe *et al.* (EP 1 036 831 A1).

### **Rejection Under 35 U.S.C. § 102(b)**

Claims 44-56 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tanabe *et al.* (EP 1 036 831 A1). Applicant respectfully traverses the rejection and requests withdrawal of same.

Applicant's invention as now claimed provides a waterfast image prepared using an ink jet composition comprising an aqueous carrier medium, a colorant, a UV curable resin dilutable in said aqueous carrier medium, and a photoinitiator.

Tanabe discloses a photocurable ink composition comprising a colorant, a urethane oligomer, a monomer having a tri- or higher functional reactive group, a photopolymerization initiator, and an aqueous solvent.

Tanabe does not disclose waterfast images prepared using an ink jet ink composition containing a UV curable resin wherein said UV curable resin is dilutable in an aqueous carrier medium as provided by Applicant's invention. Further, Applicant's invention does not employ a monomer having a tri- or higher functional reactive group as required by Tanabe.

All elements of Applicant's invention are not provided in Tanabe. Therefore, Applicant's invention is not anticipated by Tanabe. Applicant respectfully requests withdrawal of the rejection.

CONCLUSION

In view of the above, Applicant respectfully submits that now pending Claims 44-56 are patentable over Tanabe as provided above. Applicant requests withdrawal of the rejection.

Respectfully submitted,

LATHROP & GAGE L.C.

By



Janelle D. Strode, Reg. No. 34,738

LATHROP & GAGE LC.

2345 Grand Boulevard

Suite 2800

Kansas City, Missouri 64108

Telephone: (816) 460-5859

Facsimile: (816) 292-2001